

UTILITY PATENT  
01-9343

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

On re the application of: **TULLER, Jeffrey Todd**

Patent Number: Not Yet Issued

Issued Date: Not Yet Issued

Application Number: 09/923,469

Filing Date: August 6, 2001

Examiner: MATHEW, Fenn C.

Art Unit: 3764

For: **ABDOMINAL EXERCISE MACHINE**

MAIL STOP ISSUE FEE

Commissioner for Patents

Post Office Box 1450

Alexandria, Virginia 22313-1450

**TRANSMITTAL OF BASE ISSUE FEE AND PUBLICATION FEE**

Dear Sir:

Enclosed herewith are Form PTOL-85B and a check in the amount of \$1,000.00 for the payment of the Base Issue Fee and Publication Fee, which we are informed is due and payable. Applicant received a Notice of Allowance and Fees(s) Due which erroneously identified Applicant as not being a small entity. Applicant respectfully reasserts that it is a small entity and directs the Commissioner to its previously-filed Statement Claiming Small Entity Status as well as the Updated Filing Receipt, both of which are attached hereto.

In the event that any additional fees are required, the Commissioner is hereby authorized to charge Applicant's Attorney's Deposit Account No. 03-2030 for those such fees.



UTILITY PATENT  
01-9343

Respectfully submitted,

CISLO & THOMAS LLP

Date: June 22, 2005



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Daniel M. Cisto, Reg. No. 32,973

DMC/eis

Enclosures:

PTOL 85B  
Statement Claiming Small Entity Status  
Updated Filing Receipt  
Check  
Postcard

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UTILITY PATENT

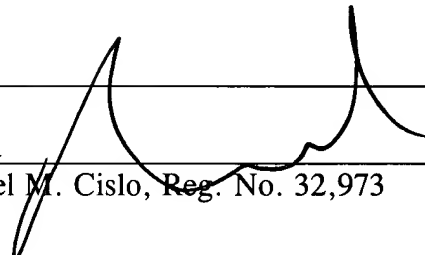
01-9343

**CERTIFICATE OF FIRST CLASS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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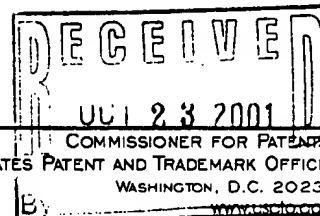
on

  
Daniel M. Cislo, Reg. No. 32,973

  
  
Date



## UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/923,469 /	08/06/2001	3764	626	01-9343 /	10	34	5

25189  
 CISLO & THOMAS, LLP  
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CONFIRMATION NO. 1536

## UPDATED FILING RECEIPT



\*OC00000006933050\*

Date Mailed: 10/19/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jeffrey Todd Tuller, Indian Wells, CA; /  
 Neal Patrick Barnes, Brooklyn Park, MN; /  
 Ross Austin Mackert, St. Louis Park, MN; /

## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/268,446 02/12/2001

## Foreign Applications

If Required, Foreign Filing License Granted 08/17/2001

Projected Publication Date: 08/15/2002

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Abdominal exercise machine

## Preliminary Class

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Tuller, Jeffrey Todd ; Barnes, Neal Patrick ; and Mackert, Ross Austin

Application No.: Filed Herewith  
Filed: Filed Herewith  
For: ABDOMINAL EXERCISE MACHINE



Group No.:  
Examiner:

Assistant Commissioner for Patents  
Washington, D.C. 20231

**STATEMENT  
CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(c-f) and 1.27(b-d))**

With respect to the invention described in the specification filed herewith.

**I. IDENTIFICATION AND RIGHTS AS A SMALL ENTITY**

I hereby state that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Guthy-Renker Corporation  
3340 Ocean Park Boulevard, Suite 3055  
Santa Monica, California 90405

and that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

**II. OWNERSHIP OF INVENTION**

I hereby state that rights under contract or law remain with and/or have been conveyed to the above identified organization

EXCEPT, that if the rights held are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held (1) by any person who could

not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, (2) any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or (3) a nonprofit organization under 37 CFR 1.9(e).

No such person, concern, or organization exists.

**III. ACKNOWLEDGEMENT OF DUTY TO NOTIFY PTO OF STATUS CHANGE**

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

**IV. DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed..

**V. SIGNATURES**

Ben Van de Bunt, Esq  
3340 Ocean Park Boulevard, Suite 3055  
Santa Monica, CA 90405

SIGNATURE B. Van de Bunt DATE 5/29/01